

Senate Engrossed

**FILED**

**Betsey Bayless  
Secretary of State**

State of Arizona  
Senate  
Forty-fourth Legislature  
Second Regular Session  
2000

**CHAPTER 23**

**SENATE BILL 1136**

AN ACT

AMENDING TITLE 8, CHAPTER 10, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING  
SECTION 8-815; RELATING TO CHILD PROTECTIVE SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 8, chapter 10, article 1, Arizona Revised Statutes,  
3 is amended by adding section 8-815, to read:

4 8-815. Family builders program; services; program termination;  
5 definitions

6 A. THE FAMILY BUILDERS PROGRAM IS ESTABLISHED IN THE DEPARTMENT OF  
7 ECONOMIC SECURITY. THE DEPARTMENT SHALL IMPLEMENT THE PROGRAM THROUGH  
8 COLLABORATIVE PARTNERSHIPS BETWEEN CHILD PROTECTIVE SERVICES, COMMUNITY  
9 SOCIAL SERVICE AGENCIES, FAMILY SUPPORT PROGRAMS AND OTHER COMMUNITY  
10 ORGANIZATIONS, WHICH MAY INCLUDE FAITH-BASED ORGANIZATIONS, TO ESTABLISH A  
11 TRIAGE SYSTEM THAT:

12 1. ACCEPTS, SCREENS AND ASSESSES REPORTS OF ABUSE OR NEGLECT BY USING  
13 PROTOCOLS DEVELOPED BY THE DEPARTMENT TO DETERMINE WHICH REPORTS REQUIRE  
14 INVESTIGATION AND INTENSIVE INTERVENTION BY CHILD PROTECTIVE SERVICES AND  
15 WHICH REPORTS REQUIRE REFERRAL FOR RESPONSE OR SERVICES BY ANOTHER AGENCY,  
16 PROGRAM OR PROJECT. THE DEPARTMENT MAY INVESTIGATE ANY REPORT BUT SHALL  
17 CONDUCT AN INVESTIGATION IF THE CHILD'S SITUATION IS REPORTED TO BE A HIGH  
18 OR MODERATE RISK, APPEARS TO REQUIRE IMMEDIATE OUT-OF-HOME PLACEMENT OR IS  
19 RELATED TO ALLEGATIONS OF SEXUAL ABUSE BY A PARENT, GUARDIAN OR CUSTODIAN.

20 2. THROUGH REFERRAL TO A NETWORK OF CONTRACTED NEIGHBORHOOD-BASED  
21 AGENCIES, PROVIDES A VARIETY OF COMMUNITY-LINKED FAMILY PRESERVATION AND  
22 SUPPORT SERVICES TO ASSIST FAMILIES TO PREVENT AND REMEDY CONDITIONS OR  
23 CIRCUMSTANCES THAT CAUSE CHILD ABUSE OR NEGLECT.

24 3. PROVIDES FURTHER INVESTIGATION AND INTENSIVE INTERVENTION BY CHILD  
25 PROTECTIVE SERVICES OF REPORTS REFERRED TO ANOTHER AGENCY, PROGRAM OR PROJECT  
26 IF THE CHILD IS IN IMMINENT DANGER OF ABUSE OR NEGLECT OR IF THE CHILD IS AT  
27 SUFFICIENT RISK TO REQUIRE A CHILD PROTECTIVE SERVICES INVESTIGATION.

28 B. THE DEPARTMENT SHALL CONTRACT WITH NEIGHBORHOOD-BASED AGENCIES AND  
29 ORGANIZATIONS TO CONDUCT FAMILY ASSESSMENTS, PROVIDE CASE MANAGEMENT AND  
30 PROVIDE THE NECESSARY SERVICES TO PROTECT THE CHILD AND SUPPORT THE FAMILY  
31 ON REFERRAL FROM THE DEPARTMENT.

32 C. DURING THE INITIAL CONTACT WITH A FAMILY, THE PROVIDER SHALL:

33 1. VERBALLY INFORM THE PROSPECTIVE PROGRAM PARTICIPANTS THAT CHILD  
34 PROTECTIVE SERVICES REFERRED THE FAMILY TO THE PROVIDER BECAUSE OF A REPORT  
35 OF ABUSE OR NEGLECT.

36 2. VERBALLY INFORM THE PROSPECTIVE PROGRAM PARTICIPANTS THAT THEY DO  
37 NOT HAVE TO ACCEPT SERVICES.

38 3. OBTAIN THE WRITTEN, INFORMED CONSENT OF THE PROSPECTIVE PROGRAM  
39 PARTICIPANTS WHO CHOOSE TO ACCEPT THE SERVICES OFFERED. THE CONSENT FORM  
40 SHALL INCLUDE A DESCRIPTION OF THE SERVICES OFFERED AND THE RIGHTS AND  
41 RESPONSIBILITIES OF THE PROGRAM PARTICIPANTS AND A STATEMENT THAT EMPHASIZES  
42 THE VOLUNTARY NATURE OF THE PROGRAM.

43 D. CONTRACTS SHALL REQUIRE THAT THE PROVIDER ESTABLISH A CONTINUUM OF  
44 SERVICES FOR FAMILIES THROUGH WRITTEN AGREEMENTS WITH COMMUNITY AGENCIES AND  
45 ORGANIZATIONS TO PROVIDE REQUIRED SERVICES TO FAMILIES. THE PROVIDER MAY

1 PURCHASE OR OBTAIN WITHOUT COST THE SERVICES OF ANY AGENCY OR ORGANIZATION  
2 THAT MAY PROVIDE RESOURCES TO ASSIST THE FAMILY.

3 E. CONTRACTS SHALL REQUIRE THAT THE PROVIDER INITIATE A THOROUGH  
4 FAMILY ASSESSMENT AND NECESSARY SERVICES WITHIN FORTY-EIGHT HOURS, EXCLUDING  
5 WEEKENDS AND HOLIDAYS, AFTER THE PROVIDER RECEIVES THE REFERRAL FROM THE  
6 DEPARTMENT.

7 F. THE DEPARTMENT SHALL PROVIDE INFORMATION TO THE PROVIDER CONCERNING  
8 THE CURRENT REPORT AND MAY PROVIDE ANY INFORMATION FROM RECORDS IT DEEMS  
9 APPROPRIATE. ALL INFORMATION RECEIVED BY THE PROVIDER REGARDING THE REPORT  
10 OF ABUSE OR NEGLECT AND DEPARTMENT RECORDS IS SUBJECT TO THE CONFIDENTIALITY  
11 REQUIREMENTS OF SECTION 8-807. INFORMATION IN THE RECORDS OF THE PROVIDER  
12 CONCERNING THE FAMILIES SERVED BY THE PROGRAM IS AVAILABLE FOR THE PURPOSES  
13 OF EVALUATING THE PROGRAM.

14 G. ON RECEIPT OF A REFERRAL FROM CHILD PROTECTIVE SERVICES, WITHIN  
15 FORTY-EIGHT HOURS THE PROVIDER SHALL ATTEMPT TO CONTACT THE FAMILY IN PERSON,  
16 INITIATE A FAMILY ASSESSMENT WITH THE CONSENT OF THE FAMILY AND OFFER TO  
17 ASSIST THE FAMILY TO OBTAIN THE SERVICES THAT ARE NECESSARY TO REDUCE OR  
18 ELIMINATE THE CAUSES FOR THE INITIAL INFORMATION BEING RECEIVED BY CHILD  
19 PROTECTIVE SERVICES AND OTHER IDENTIFIED NEEDS OF THE FAMILY.

20 H. IF AT ANY TIME DURING THE INITIAL CONTACT OR DURING THE COURSE OF  
21 SERVICE DELIVERY THE PROVIDER DETERMINES THAT THE CHILD IS IN IMMINENT DANGER  
22 OF ABUSE OR NEGLECT, THE PROVIDER SHALL IMMEDIATELY REPORT THE CASE TO THE  
23 DEPARTMENT OR THE APPROPRIATE LAW ENFORCEMENT AGENCY, OR BOTH, FOR  
24 APPROPRIATE ACTION. IN ALL CASES THE PROVIDER AND ANY AGENCY UNDER  
25 SUBCONTRACT TO THE PROVIDER SHALL RETAIN RECORDS OF INFORMATION ON INITIAL  
26 AND ONGOING CONTACT WITH THE FAMILY AND THE FINAL DISPOSITION OF THE CASE AND  
27 SHALL PROVIDE THIS INFORMATION TO THE DEPARTMENT.

28 I. A FAMILY WHO IS OFFERED SERVICES BY THE PROVIDER MAY REFUSE TO  
29 ACCEPT THOSE SERVICES. THE PROVIDER SHALL DOCUMENT THE FAMILY'S REFUSAL OF  
30 SERVICES IN THE CASE RECORD.

31 J. THE PROVIDER SHALL CONDUCT AN ASSESSMENT IN THE HOME AND WITH THE  
32 FAMILY'S PARTICIPATION SHALL DEVELOP AN INITIAL PLAN WITHIN THIRTY DAYS BASED  
33 ON THE FAMILY'S NEEDS. THE PROVIDER SHALL ASSIST THE FAMILY IN IDENTIFYING  
34 AND PROVIDING APPROPRIATE SERVICES. THE PROVIDER SHALL MONITOR THE PROGRESS  
35 MADE BY THE FAMILY BASED ON THE PLAN EXPECTATIONS AND SHALL CONDUCT HOME  
36 VISITS TO DETERMINE THE SAFETY OF THE CHILD AND ANY OTHER CHILDREN IN THE  
37 HOME AT THE TIME OF THE VISIT.

38 K. THE DEPARTMENT SHALL REQUIRE THAT THE PROVIDER ESTABLISH A LOCAL  
39 ADVISORY BOARD COMPOSED OF APPROPRIATE COMMUNITY REPRESENTATIVES, INCLUDING  
40 REPRESENTATION FROM FAMILIES IN THE COMMUNITY AND LOCAL PUBLIC AGENCIES. THE  
41 LOCAL ADVISORY BOARD SHALL ENSURE THAT A CONTINUUM OF SERVICES IS PROVIDED  
42 FOR FAMILIES AND SHALL PROVIDE OVERSIGHT TO THE PROGRAM.

43 L. THE DEPARTMENT SHALL IDENTIFY GOALS, OBJECTIVES AND OUTCOMES FOR  
44 FAMILY BUILDERS PROGRAMS.

1 M. IF THE DEPARTMENT EXPANDS THE PROGRAM TO NEW GEOGRAPHIC AREAS, IT  
2 SHALL HOLD AT LEAST ONE INFORMATIONAL MEETING TO INFORM POTENTIAL PROVIDERS  
3 OF THE OPPORTUNITY TO BID ON THE CONTRACT. THE DEPARTMENT SHALL PROVIDE  
4 ADEQUATE PUBLIC NOTICE OF EACH MEETING TO POTENTIAL PROVIDERS IN THE SAME  
5 MANNER AS PROVIDED IN SECTION 41-2533.

6 N. IF A REPORT IS MADE PURSUANT TO SUBSECTION A OF THIS SECTION, THE  
7 DEPARTMENT MAY DIRECT THE REPORT TO THE CONTRACT PROVIDER. THE DEPARTMENT  
8 IS THEN CONSIDERED TO HAVE MET THE REQUIREMENTS OF SECTION 8-304, SUBSECTION  
9 B AND SECTION 8-802, SUBSECTION C. THE DEPARTMENT SHALL DEVELOP PERFORMANCE  
10 STANDARDS FOR THE CONTRACTS, PROVIDE TRAINING TO THE PROVIDER OR ORGANIZATION  
11 STAFF INVOLVED IN SERVICE DELIVERY TO THESE FAMILIES REGARDING CHILD ABUSE  
12 AND NEGLECT AND MONITOR THE PERFORMANCE OF THE PROVIDERS.

13 O. THE PROGRAM ESTABLISHED BY THIS SECTION ENDS ON JULY 1, 2010  
14 PURSUANT TO SECTION 41-3102.

15 P. FOR THE PURPOSES OF THIS SECTION:

16 1. "DEPARTMENT" MEANS THE DEPARTMENT OF ECONOMIC SECURITY.

17 2. "PROVIDER" MEANS A COMMUNITY SOCIAL SERVICES AGENCY, FAMILY SUPPORT  
18 PROGRAM OR COMMUNITY ORGANIZATION, INCLUDING A FAITH-BASED ORGANIZATION, THAT  
19 IS AWARDED A CONTRACT BY THE DEPARTMENT.

20 3. "SERVICES" INCLUDES:

21 (a) FAMILY ASSESSMENT.

22 (b) CASE MANAGEMENT.

23 (c) CHILD DAY CARE.

24 (d) HOUSING SEARCH AND RELOCATION.

25 (e) PARENTING SKILLS TRAINING.

26 (f) SUPPORTIVE INTERVENTION AND GUIDANCE COUNSELING.

27 (g) TRANSPORTATION.

28 (h) EMERGENCY SERVICES.

29 (i) INTENSIVE FAMILY PRESERVATION.

30 (j) PARENT AIDE SERVICES.

31 (k) RESPITE SERVICES.

32 (l) SHELTER SERVICES WITH PARENTAL CONSENT.

33 (m) ADDITIONAL SERVICES THAT THE DEPARTMENT DETERMINES ARE NECESSARY  
34 TO MEET THE NEEDS OF THE FAMILIES.

35 Sec. 2. Audits of family builders program

36 A. The auditor general shall perform an evaluation of the impact and  
37 effectiveness of the family builders program established pursuant to section  
38 8-815 Arizona Revised Statutes, as added by this act, on or before November  
39 1, 2001 and November 1, 2004.

40 B. The evaluation shall include the following information:

41 1. The number of reports referred to the program.

42 2. The number of families that received services.

43 3. Demographic information concerning the families served.

44 4. The type of services provided and the families' satisfaction with  
45 the services.

- 1        5. The average cost of the services provided.
- 2        6. Information on providers.
- 3        7. Recommendations regarding program administration.
- 4        8. The extent to which the goals and objectives of the program are
- 5 being successfully met.
- 6        9. The outcomes for families served by the program, including the
- 7 impact of the program in reducing the risk of child maltreatment.
- 8        Sec. 3. Retroactivity
- 9        This act is effective retroactively to from and after June 30, 2000.

APPROVED BY THE GOVERNOR MARCH 20, 2000

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 20, 2000